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Approved For Release 2003/11/04 : CIA-RDP57-00384R000400090022-7

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Office Memorandum

UNITED STATES GOVERNMENT

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TO : Office of General Counsel
 FROM : Personnel Director

DATE: 16 SEP 1952

SUBJECT: Post Classifications for Foreign Area Allowances

REFERENCE: Memorandum dated 22 August 1952 from Near East and Africa Division

1. Under Confidential [REDACTED] the Personnel Director, with the concurrence of the Comptroller, has the authority to classify for overseas allowance purposes areas and places not classified by the Secretary of State. The referenced memorandum raises certain questions as to the extent of that authority.

2. Your opinion is, therefore, requested on the following matters:

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a. May the authorizing officials [REDACTED] establish allowance classifications to take effect retroactively?

b. The Standardized Government Civilian Allowance Regulations (Foreign Areas) provide, in substance, that for unclassified posts the employee may be granted post and quarters allowances at the lowest rate within the country of assignment for a period not to extend beyond six months from the date of arrival at the post, unless otherwise authorized by the Secretary of State. (See sections 3.52 and 4.52) Since the authorizing officials under [REDACTED] have internal prescribing authority comparable to that of the Secretary of State, may they extend beyond the six-months period the applicability of the non-classified post rates? May they do so retroactively?

c. The referenced memorandum relates to a contract agent, and his contract provides as follows:

"You will be paid living-quarters and cost-of-living allowances upon arrival at your post of duty at the maximum rates prescribed in the Standardized Government Civilian Allowance Regulations."

How is this clause to be interpreted in the instant case?

d. If your opinion with reference to the [REDACTED] post is predicated on the contractual provisions, we also request that

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[REDACTED]

you give an opinion on the retroactive question as it relates
to staff agents and staff employees.

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attachment:

memo



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